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E.O. 12958: N/A  
TAGS: [EAID](#) [SNAR](#) [ASEC](#) [PTER](#) [SOCI](#) [KJUS](#) [KCRM](#) [MO](#)  
SUBJECT: ASSESSING THE NEED FOR INCREASED LAW  
ENFORCEMENT AND JUDICIAL TRAINING

REF: A. STATE 005448 (NOTAL)  
[1](#)B. RABAT 0151

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Summary and Action Request  
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[1](#)1. (SBU) The Mission has identified three key priorities for International Narcotics and Law Enforcement (INL) judicial sector and law enforcement support to Morocco: anti-corruption, counterterrorism (CT) and general technical support. These priorities reflect Government of Morocco (GOM) requests, address broader needs and gaps, and provide the USG with opportunities to build stronger working relationships with governmental and other key actors. To pursue these priorities most effectively, the Mission requests the creation of a U.S. direct-hire INL Coordinator position; please see para. 10. End Summary and Action Request.

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Key Underlying Threads  
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[1](#)2. (SBU) Morocco faces myriad judicial, criminal and security challenges, including trafficking in persons, increasing petty crime, narcotics production and smuggling (as well as other illicit goods smuggling), and domestic and regional terrorism. However, rampant corruption, limited institutional capacity, and societal frustration over failings in the judicial and security sectors are the common denominators that hinder the GOM's effectiveness in addressing these issues. Mission believes that they are the central threads that the USG can "tug on" to reach and improve the broader spectrum of Morocco's security and judicial services. Anger and frustration over authorities' inability to reduce these crimes, and sometime complicity in their commission, has proved an effective rallying tool for anti-government extremists.

[1](#)3. (SBU) Enhanced USG engagement in these fields will support Mission Strategic Plan Goal 1: Promoting Economic Reform and Growth, Goal 2: Countering Terrorism and Goal 4: Enhancing Democracy and Governance.

## ----- Governmental Capabilities and Obstacles -----

¶4. (SBU) Corruption/"Internal Affairs:" A key enabling factor in Morocco's "culture of corruption" is a lack of credible investigations of reports of official malfeasance. In a welcome change, in 2008 and early 2009, the GOM launched a series of high profile, if isolated, arrests of civilian and security officials for involvement in drug trafficking, corruption and malfeasance. However, such activities are still not systemic and are sometimes tainted by the whiff of political expediency and score settling. Additionally, officially lodged complaints of physical abuse by security forces are cursorily investigated, if at all, and almost never found to be valid; a key and widespread source of complaint at all levels of society. Almost every interlocutor, whether from government or civil society, has urged USG support for improving the GOM's internal affairs capacity.

¶5. (SBU) Internal Affairs Continued: A variety of agencies, bodies and mechanisms have the authority to investigate official misconduct. (Note: The most notable are the Inspectors General, the Cour de Comptes -- GAO equivalent, the still new Commission to Combat Corruption, the Judicial Police -- FBI equivalent, and investigating magistrates. End Note.) However, there is little coordination among them. Morocco's lack of judicial independence and

its client-based system of personal relationships drive corruption. They are the remnants of the "old system" that most hinder modernization. What now Prime Minister Abbas El Fassi labeled "telephone justice," in which the outcomes of cases or investigations are predetermined by instructions delivered to judges and investigators by telephone, remains an enduring part of Moroccan jurisprudence.

¶6. (SBU) Counterterrorism: Although counterterrorism is not an explicit goal of much of the training proposed below, the skills being taught will have multiple applications, including and particularly in the CT field. Improved investigatory capacity, better handling of evidence and post blast procedures all have bearing on CT cases. Additionally, improved and more credible justice and security services will help alleviate frustration towards the government.

¶7. (SBU) Technical Skills: In both the judicial and law enforcement sectors, a lack of technical skills in almost all fields hampers Moroccan ability to address criminal matters. It also has an effect on the GOM's ability to effectively partner with and support U.S. law enforcement elements in pursuing cases related to cybercrime (a growing issue here), and other trans-national issues. An additional constraint to USG training efforts is the fact that English language skills are limited albeit growing. English is now a required subject at the Ministry of Interior's (MOI) Royal Institute for Territorial Administration (IRAT), its premier training ground for future leaders (Ref B).

¶8. (SBU) Managerial: Security and judicial officials at the top-to-middle echelons of the Ministries of Justice (MOJ) and Interior have expressed a true desire to modernize and professionalize their services. Difficulties in translating rhetoric into reality have been, and remain, a fundamental obstacle to carrying out assistance programs and broader USG/GOM cooperation and coordination. Additionally, overly bureaucratic

and hierarchical management structures slow decision-making processes and hamper reform.

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Internal Training and Programming Framework  
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¶9. (SBU) INL assistance, along with any related potential assistance from other sources, will provide critical support to our MSP goals at both the tactical and strategic levels. We believe that technical law enforcement and security-focused assistance such as cybercrime and investigatory training should be best channeled through ICITAP, DS/ATA, LEGAT, DHS and RSO in coordination with OSC. Longer-term, reform-focused assistance such as

ethical training for Moroccan legal associations, general curriculum development for MOI and MOJ training institutions, and other broad-based legal reform initiatives can be carried out by USAID and non-governmental organizations such as the American Bar Association and National Center for State Courts. However, all such external programming should be closely coordinated within the Mission during the proposal design and approval phases to ensure complementarities with existing mission law enforcement and counterterrorism goals and activities.

¶10. (SBU) Action Request: As a result of INL's welcome and expanding support, the size and scope of mission's judicial and law enforcement/security programming has outgrown our current capacity to manage it without detracting from other activities. In our 2011 MSP, Mission requested funding for a Foreign Service position to serve as INL program coordinator to supplement and supervise the current LES INL program coordinator position. This new

position would shepherd all assistance in this sector. Additionally, the GOM has expressed an interest in an Intermittent Legal Advisor (ILA) with offices in both the MOJ and Embassy to help strengthen USG/GOM liaison relationships as well as facilitate implementation of assistance programming and broader reform. If FY-10 funding can be identified, Mission would like to see the position created and advertised in FY-09 and encumbered in FY-10. End Action Request.

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Proposed Training and Programming  
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¶11. (SBU) The below bullets are derived from consultations with GOM interlocutors, civil society representatives and internal mission discussions.

¶A. Ministry of Justice:

-- Multi-level, reciprocal familiarization and exchange visits, with a particular focus on how the U.S. federal and state judiciaries are organized and interact.

-- Multi-level, reciprocal "internships" in which MOJ officials might be embedded in the U.S. Department of Justice (DOJ) for a period of up to one month or longer and then return here with a DOJ counterpart for a similar program.

-- Top-level assistance in designing laws permitting alternative sentencing, conditional release and probation. Currently, Moroccan codes do not allow for any of the above.

-- Top-level assistance in setting up a national

probation division.

-- Multi-level training on plea bargaining.

-- Multi-level training on rules of evidence.

-- Multi-level training for judges and prosecutors in specialized fields such as implementing international conventions; investigating and adjudicating complex corruption and governmental mismanagement cases; investigating and adjudicating trans-national crime cases.

-- The MOJ has requested assistance in designing and establishing "neighborhood courts" such as those in New York City, to address quality of life crimes and tackle petty crime before it becomes major crime. This would be top-level initially and multi-level in time.

#### B. Ministry of Interior:

-- Multi-level continued and expanded fingerprint training and programming.

-- The following items are derived from the FBI course catalog and DHS offerings and were forwarded to INL/AAE via e-mail:

-- 1. FBI course 4, Bank Robbery, in response to a GOM request as a result of a recent increase in bank robberies (Multi-level).

-- 2. FBI course 7, Computer (Cyber) Crimes, with additional focused consultations on cyber crime. Morocco has some of the world's best hackers, and some of the least prepared police forces to address the issue. DS/ATA conducted recent assessments of the Moroccan police and Gendarmes' (national or rural police's) abilities to conduct cyber investigations. ATA's report is pending but, when published, will provide an overview of the GOM's current level of cyber investigative capability and needs. ATA will be prepared to provide assistance (Multi-level).

-- 3. FBI course 8, Crimes Against Children, to address this growing problem in Morocco (Multi-level).

-- 4. FBI course 11, DNA analysis, to provide technical training to individuals who will operate the automated Combined DNA Index System (CODIS) the USG is providing.

-- 5. FBI course 20, Hostage Negotiation, in response to a request from the MOI (Multi-level).

-- 6. FBI courses 23 and 36, Police Ethics and Internal Control/Police Corruption (Multi-level).

-- 7. Continued multi-level border security and interdiction training.

-- 8. Top-level assistance in creating and managing a multi-agency fusion/crisis management center under MOI aegis.

-- 9. Multi-level assistance in designing and implementing anti-trafficking programs.

-- 10.. Multi-level assistance to the IRAT in response to a request for training assistance (Ref B).

-- 10. DHS Border Security Training (Low-to-middle level).

-- 11. DHS Money Movement, Laundering and Bulk Cash Training (Low-to-middle level).

-- 12. DHS Airport Interdiction Training (Low-to-middle level).

-- 13. DHS Fraudulent Identification/Passport Travel Document Training (Low-to-middle level).

-- 14. DHS TTU (Trade Transparency Unit) Training (Low-to-middle level).

-- 15. DHS Port Security Training Programs (Tangier Med and Casablanca) (Low-to-middle level).

-- 16. DHS Customs Trade Partnership Against Terrorism (CTPAT) Program (Low-to-middle level).

-- 17. DHS Container Security Programs (Morocco beginning direct shipping to the U.S.) (Low-to-middle level).

-- C. General Governmental Assistance:

-- 1. Top-level and mid-level training for key managers in change management, strategic planning, and project management and implementation.

-- 2. Top-level and mid-level assistance to both judicial and security agencies in how carry out effective internal investigations.

-- D. Civil Society/Reform:

-- 1. Programs focused on improving general access to justice.

-- 2. Legal clinics, "street law" programs and projects with Moroccan bar associations to promote pro-bono work as part of legal training. This would build on previous mission programs implemented by the American Bar Association.

-- 3. Ethics program for judicial experts.

-- 4. Institution building for bar associations and other professional legal associations.

-- 5. Legal resource centers

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Efforts by Other Partners  
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¶12. (SBU) While this is not a comprehensive list, Mission has made a significant effort to reach out to the donor community to coordinate assistance. Activities of key partner governments are laid out below:

-- The French Embassy is focusing on fraudulent documents, drugs, and conducting investigations. The French have given extensive basic training to the GOM which has not always well received by the Moroccans because of its basic nature.

-- The Spanish Embassy, the largest Spanish Embassy in the world, is concentrating on fraudulent documents and migrant and narcotics interdiction.

-- The British Embassy has explored the creation of a national crisis center with the GOM and creation of a national closed circuit TV network in large cities. The British are also working on anti-MANPAD training and post blast investigative training.

-- The German Embassy has provided training on

exploitation/analysis of information and intelligence and on how to conduct internet investigations connected to terrorism. Germany will provide training on chain of custody for the seizure of drugs, identification of drugs, the transportation of seized drugs and crime scene investigation.

-- The Dutch Embassy is involved in a major project involving document fraud training. They are also providing extensive equipment to analyze documents.

-- The European Union has invested heavily in computerizing the court system as well as in building radio and communication systems for security forces. They have also supported several drug programs, aviation security programs, and a significant immigration security and interdiction program.

-- In addition, both France and Belgium have Resident Legal Advisors, and Belgium has been working on aiding released prisoners to find employment.

¶13. (SBU) There is no existing non-military regional training center in Morocco and none is planned, but the GOM is always open to proposals.

¶14. (U) Primary Mission Points of Contact are:

-- Embassy PolOff David Brownstein at e-mail: brownsteindp@state.gov, tel. +21237668064 (until April 14, 2009;

-- Embassy ARSO Joshua Godbois at e-mail: godboisjs2@state.gov or tel. +21237668065

-- Embassy LES Suleiman Fenjiro at e-mail: FenjiroSO@state.gov or tel.. +21237668296;

-- USAID Democracy and Governance Team Leader Ted Lawrence at e-mail: tlawrence@usaid.gov or tel. +21237632001;

-- USAID Development Specialist Idriss Touijer at e-mail: itouijer@usaid.gov or tel. +21237632001;

-- Embassy PolOff Siriana Nair at e-mail: nairsk@state.gov or tel. +21237668065 (after April 14).

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